

CITY COUNCIL, CITY OF LODI  
CITY HALL COUNCIL CHAMBERS  
AUGUST 18, 1971

A regular meeting of the City Council of the City of Lodi was held beginning at 8:00 p.m. on Wednesday, August 18, 1971 in the City Hall Council Chambers.

ROLL CALL Present: Councilmen - EHRHARDT, HUGHES,  
SCHAFFER and KATNICH (Mayor)

Absent: Councilmen - KIRSTEN

Also present: City Manager Graves, Assistant City Manager Peterson, City Attorney Mullen, Public Works Director Jones and Assistant Planner Richard Avey.

PLEDGE Mayor Katnich led the Pledge of Allegiance to the Flag.

MINUTES                      On motion of Councilman Schaffer, Ehrhardt second, the Minutes of July 21, July 28 and August 4, 1971 were approved as written and mailed.

## PUBLIC HEARINGS

DOWNTOWN  
IMPROVEMENT  
DISTRICT

Mayor Katnich asked if petitions had been received concerning formation of the proposed Business Improvement Area. The City Clerk reported she had received a total of 17 petitions bearing signatures of persons opposed to formation of the district. The petitions were notarized and had been filed in form and manner provided by law. Four letters opposing the formation of the Business Improvement Area had also been received by the City Clerk.

City Attorney Mullen stated that a letter had been received from the sponsor of the district requesting the Council to deny formation of the district. City Manager Graves then read the letter dated August 18, 1971 from Mr. Joe Newfield, Jr., Chairman of the Downtown Improvement Committee requesting the Council to deny formation of the district at this time.

On motion of Councilman Hughes, Ehrhardt second, the City Council denied formation of the Downtown Improvement Area No. 1 as requested.

SPECIFIC PLAN .  
E LOCKEFORD

Notice thereof having been published in accordance with law, Mayor Katnich called for the public hearing on the recommendation of the City Planning Commission to adopt a Specific Plan for East Lockeford Street between North Washington Street and North Cherokee Lane.

CRD. NO. 550  
INTRODUCED

Public Works Director Jones presented and reviewed the proposed Specific Plan.

There was no one in the audience wishing to be heard on the matter and the public portion of the hearing was closed.

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SPECIFIC PLAN -  
S. HUTCHINS ST. -  
CONTINUED

On motion of Councilman Schaffer, Ehrhardt second, the Council introduced Ordinance No. 959 adopting a Specific Plan for East Lockeford Street between North Washington Street and North Cherokee Lane.

Notice thereof having been published in accordance with law, Mayor Katnich called for the public hearing on the recommendation of the Planning Commission to adopt a Specific Plan for South Hutchins Street between West Kettleman Lane and Harney Lane.

Public Works Director Jones presented and reviewed the proposed Specific Plan.

Mr. Victor Meyer, 41 South Sacramento Street, spoke concerning the Specific Plan. He questioned if right-of-way locations should be considered at this time. Mr. Meyer said he was concerned that some recognition should be given to location of driveways, etc. Mr. Meyer stated he was opposed to the plan as presented for several reasons. He felt the policy being considered for South Hutchins Street was contrary to that adopted for Lower Sacramento Road. Also, the proposed sidewalk, automatic sprinklers and fencing requirements were unwarranted at this time. Mr. Meyer suggested that no pedestrian sidewalk should be provided in this area of South Hutchins Street.

The developer of the English Oaks Subdivision, Mr. Robert Houston, 824 Mariposa Way, said he would be agreeable to dedicating additional right of way to provide for a bicycle path and he preferred to install landscaping on the private property rather than in the public right of way.

Mr. Meyer then indicated that the final subdivision map and agreement for the English Oaks Subdivision would be submitted to the City Council in the near future and requested that it not be delayed pending adoption of this Specific Plan. He asked that the final map and agreement for English Oaks Subdivision be approved subject to the Council's final action on this Specific Plan and he assured the Council that if the Specific Plan is approved, the developer would meet whatever requirements were set down by the Council for the development of South Hutchins Street.

There being no other persons in the audience wishing to speak on the matter, the public portion of the hearing was closed.

After discussion by the Council, the Council agreed the Specific Plan should be referred back to the Planning Commission for further study. On motion of Councilman Hughes, Ehrhardt second, the Council directed the City staff to proceed with the subdivision agreement for the English Oaks Subdivision based upon the Specific Plan as

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proposed, and referred the Specific Plan to the Planning Commission for further study in the area of improvements proposed behind the curb, i.e., curb, sidewalk, landscaping, fencing and bicycle path.

APPEAL -  
E. STAFFORD -  
CONTINUED

Notice thereof having been published in accordance with law, Mayor Katnich called for the public hearing on the appeal of Mrs. Edna Stafford of the Planning Commission's decision in denying her request for a change in zoning from the R-2, Single-Family Residential District to the R-MD, Residential-Medium Density District for Lot 24 (excepting the south 3 feet) of Lakeside Park (819 James Street).

Mr. Richard Avey, Assistant Planner, presented a drawing of the parcel giving the zoning in the immediate area of the property. Mr. Avey explained that the Planning Commission's action to deny the request was based on the fact that approval of the request would permit multiple-family zoning on a street where only single-family zoning and land use existed.

Mrs. Edna Stafford, 819 James Street, explained to the Council that she and her mother live together at the James Street address and she wished to install kitchen facilities in an already existing room so that they might have separate cooking facilities. She said she did not necessarily wish to have the property rezoned.

There being no other persons in the audience wishing to be speak on the matter, the public portion of the hearing was closed.

After consideration by the Council, Councilman Hughes moved the public hearing be continued to September 1, 1971 and directed the City Attorney and the Planning Department to attempt to develop new wording to establish City policy which would allow two dwelling units under one roof without being classified as separate dwelling units or duplex. The motion was seconded by Councilman Schaffer and carried by unanimous vote.

RECESS

The Mayor declared a five-minute recess and the Council reconvened at 10:45 p.m.

#### PLANNING COMMISSION

The City Manager gave the following report of the City Planning Commission meeting of August 9, 1971:

TINDELL  
REZONING  
REQUEST

The Planning Commission recommended the approval of the request of Mrs. R. M. Tindell, c/o Genie Land Company, for the rezoning from the I-PA, Interim-Protective Agricultural District to Planned Development No. 6 (P-D(6)) for property bounded by the

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future extension of West Elm Street on the north; the Elmhaven Subdivision on the east; the Allen Manor Subdivision on the south; and Lower Sacramento Road on the west, excepting those two approximately one-acre parcels located at 40 and 60 North Lower Sacramento Road. On motion of Councilman Schaffer, Ehrhardt second, the matter was set for public hearing on September 1, 1971.

#### P-D #1 - LAND USE CHANGE

The Planning Commission also recommended the approval of the request of Mr. John Capell that a portion of Planned Development District #1 (P-D(1)), which is located on the west side of Rutledge Drive adjacent to the Westlake Subdivision Unit #2 be approved for a change in land use by substituting eight duplex lots on a public street for the previously-approved apartment use at 15 units per acre, subject to certain conditions.

On motion of Councilman Schaffer, Mayor Katnich second, the matter was set for public hearing on September 1, 1971.

#### OF INTEREST

The Planning Commission also took the following actions of interest to the Council:

1. Approved the Tentative Map of the Aladdin Gardens Subdivision, a 21.8-acre tract encompassing that portion of the R. M. Tindell property which lies south of the future extension of West Elm Street and east of Lower Sacramento Road with certain conditions.
2. Determined that proposed improvement would be "a distinct benefit to the district in which such building or use is located" and approved the request of Mr. Ted Hochhalter for Lodi Nut Company for a Variance to permit the erection of a building to house a nut dryer which is to be relocated from an existing building on the site of a nonconforming industrial use at 1230 South Fairmont Avenue in an area zoned R-1.
3. By a tie vote of 4 to 4 denied the request of Mr. Peter Croucher, c/o Lodi Rivergate, Inc. to designate the extension of North Church Street in the Rivergate-Mokelumne Subdivision as Review Drive.

#### COMMUNICATIONS

#### ABC LICENSE

A notice of Application for Alcoholic Beverage License was received for June G. and Kenneth M. Badgley, The Playboy, 7 South Sacramento Street, on sale beer, person-to-person transfer.

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CHURCH ST.  
N OF TURNER

A letter was read from Mr. Victor Meyer, 41 South Sacramento Street, on behalf of Lodi Rivergate, Inc., appealing the City Planning Commission's decision in denying their request to designate the extension of North Church Street in the Rivergate-Mokelumne Subdivision as Riverview Drive. The Council requested the matter to be on the agenda for discussion at the next regular meeting.

MRS. MEYERS  
RE E. CAMPUS  
HIGH SCHOOL

The City Clerk read a letter from Mrs. Larry Meyers, 2356 Cabrillo Circle, requesting the City to conduct drills at the East Campus, Lodi High School, which would include taking people from the third floor windows of these buildings. The Council directed the City Manager to notify Mrs. Meyers that the City had little or no jurisdiction in this matter and it should be taken up with the Board of Trustees of the School District.

#### REPORTS OF THE CITY MANAGER

CLAIMS

Claims in the amount of \$221,220.31 were approved on motion of Councilman Schaffer, Ehrhardt second.

ACCEPT  
KETTLEMAN LN  
SAN. SEWER

On motion of Councilman Ehrhardt, Hughes second, the City Council accepted the Kettleman Lane Sanitary Sewer Relocation as complete and authorized the Public Works Director to file the Notice of Completion on the project.

ACCEPT  
LAUREL AVE.  
IMPROVEMENTS

On motion of Councilman Hughes, Schaffer second, the City Council accepted the Laurel Avenue curb, gutter and sidewalk improvements and authorized the Public Works Director to file the Notice of Completion on the project.

PLANS & SPECS -  
SUBD. PAVING

On motion of Councilman Schaffer, Ehrhardt second, the Council approved plans and specifications for Subdivision Paving for fiscal year 1971 and authorized advertising for bids thereon.

PLANS & SPECS -  
MISC. STORM  
DRAINS - 1971

On motion of Councilman Schaffer, Ehrhardt second, the Council approved plans and specifications for Miscellaneous Storm Drains - 1971 and authorized advertising for bids thereon.

PLANS & SPECS -  
L. SACTO RD.

On motion of Councilman Schaffer, Mayor Katnich second, the Council approved plans and specifications for Lower Sacramento Road Median Strip and authorized advertising for bids thereon.

COUNCIL  
CHAMBERS

Mr. Arlie Preszler, architect for the remodeling of the Council Chambers, discussed the plan for the remodeling and estimated the cost for the project including the sound system to be approximately \$12,500. The Council, on motion of Councilman Schaffer, Ehrhardt second, authorized Mr. Preszler

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to proceed with plans and specifications for the remodeling of the Council Chambers.

PARKING ZONE  
REQUEST - E.  
LODI AVE.

City Manager Graves reported that the Public Works Director had received a request from Mr. Edward Hyske, owner of property at 502 and 508 East Lodi Avenue, for a loading zone in front of the building at 508 East Lodi Avenue. The Public Works Director had recommended the request be denied. The Council requested the matter be continued for discussion at the next regular meeting.

UNSAFE BLDG  
ORDINANCE

The City Council introduced Ordinance No. 960 adopting a procedure for the repair, vacation and demolition of unsafe buildings on motion of Councilman Schaffer, Hughes second.

ORD. NO. 960  
INTRODUCED

PLANS & SPECS -  
MSC STORM DRAIN

On motion of Councilman Hughes, Schaffer second, the Council adopted plans and specifications for the Municipal Service Center Storm Drain System and authorized advertising for bids thereon.

LIBRARY  
PROCESSING  
SERVICE

The City Manager presented a contract with the State Department of Education, Division of Libraries, for processing of books for the City's Library. On motion of Councilman Ehrhardt, Schaffer second, the Council adopted Resolution No. 3539 authorizing the execution of the contract.

RES. NO. 3539-B

1971-72  
TAX RATE

Councilman Schaffer moved the adoption of Resolution No. 3540 fixing the tax rate for fiscal year 1971-72 as follows:

RES. NO. 3540

General Fund	\$0.98
Pension Fund	\$0.20
Storm Drain Fund	\$0.20
Library Fund	\$0.20
Library Construction Fund	<u>\$0.10</u>
	\$1.68

The motion was seconded by Councilman Ehrhardt, and carried by unanimous vote.

LCC VOTING  
DELEGATE

City Manager Graves explained that correspondence had been received from the League of California Cities requesting that each City Council designate a voting delegate and an alternate voting delegate for the business session at the Annual League Conference in San Francisco, September 26-29, 1971.

Councilman Schaffer then moved that Mayor Katnich be designated as the City's voting delegate and Vice Mayor Ehrhardt as the alternate voting delegate. The motion was seconded by Councilman Hughes and carried by unanimous vote.

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VOLUNTEER  
EMPLOYEE  
DISABILITY  
BENEFITS  
RES. NO. 3541

On recommendation of the City Manager, Councilman Ehrhardt moved adoption of Resolution No. 3541 adopting a policy providing for volunteer employee disability benefits. The motion was seconded by Councilman Schaffer and carried by unanimous vote.

S. REUSCHER  
AGREEMENT

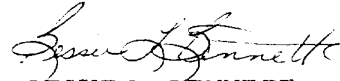
The City Manager presented an agreement between Mr. Sam Reuscher and the City of Lodi concerning installation of a 4-inch sanitary sewer lateral at 350 East Kettleman Lane. On motion of Mayor Katnich, Councilman Schaffer second, the Council approved the above agreement and authorized the City Manager to execute same on behalf of the City.

REPORTS  
REQUESTED

Mayor Katnich requested that a report concerning the rental of the Maple Square Fire House by The Mensch and a report of the Lodi Area Behavior Deterioration and Drug Abuse Council be submitted to the Council at the next regular meeting.

ADJOURNMENT

There being no further business, the meeting was adjourned on motion of Councilman Ehrhardt, Schaffer second, at 12 midnight.



Attest: BESSIE L. BENNETT  
City Clerk